

REMARKS

A. Information Disclosure Statements

On May 1, 2001 and September 24, 2001, Applicants filed Information Disclosure Statements regarding the above-identified patent application. The Information Disclosure Statements were received by the U.S. Patent Office as evidenced by the attached copies of the return post cards. The Office Action mailed on May 5, 2004 failed to confirm receipt of either one of the Information Disclosure Statements. Applicants' Amendment filed on November 4, 2004 requested confirmation of receipt of the Information Disclosure Statements be made in the next Office Action. The Office Action mailed on April 21, 2005 once again failed to confirm receipt of the Information Disclosure Statements. Accordingly, Applicants request confirmation of receipt of the Information Disclosure Statements and that the cited references be considered by the Examiner and that the corresponding 1449 forms be initialed evidencing that the references have been considered.

In addition, Applicants filed a Supplemental Information Disclosure Statement on April 21, 2005 and therefore request that it be considered and made of record in the next Office Action.

B. 35 U.S.C. § 112, Second Paragraph

In the Office Action of April 21, 2005, claims 1-12, 14, 16-20 and 30-56 were rejected under 35 U.S.C. § 112, second paragraph, for being confusing based on Applicants' comments in their Amendment of November 4, 2004. In particular, Applicants made comments regarding claims 3-5, 7, 16, 17 and 19 which were placed in independent form. The comments in question merely stated that a number of the elements added to the claims were inherently present in the

original claims. One of ordinary skill in the art and one well versed in patent law would understand this statement in view of 35 U.S.C. § 112, fourth paragraph, which states in part:

A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

With the above-mentioned statute in mind, let's take an example from Applicants' Amendment of November 4, 2004. Claim 3 originally depended from claim 1 and so by statute the claim is to be construed to include all of the elements of original claim 1. One of the clauses of original claim 1 was the following:

a server having a first set of ports for communication between the external communications network and the server; the server having a second set of ports for communication between an internal communications network and the server;

Pursuant to 35 U.S.C. § 112, fourth paragraph, the above clause was incorporated in original claim 3 and so was inherently present in the claim. That's all that was meant by the use of the phrase "inherently present." Applicants' amendment to claim 3 explicitly added material that was in original claim 1 and was previously inherently present in original claim 3 due to its dependency on original claim 1. Since one of ordinary skill in the art would readily know what was meant by the phrase, especially when it was used in conjunction with describing amending a claim in independent form, and know that the phrase was not meant to add any meaning to the claims beyond what was present in the claims pursuant to 35 U.S.C. § 112, one of ordinary skill would readily understand the meaning of the claims and so the rejection has no merit and should be

withdrawn.

The rejections of claims 1, 6, 9-12, 30, 31, 55 and 56 are improper for the additional reason that the offending clause was not used in conjunction with either of those claims and so it is unclear how there could be any confusion as to the meaning of those claims.

Since claims 1-12, 14, 16-20 and 30-56 have not been rejected based on prior art, they should be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.C. Freeman', is written over a horizontal line.

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Dated: June 3, 2005